

Message

From: Bouma, Stacey [Bouma.Stacey@epa.gov]
Sent: 9/16/2020 8:19:27 PM
To: Able, Tony [Able.Tony@epa.gov]
Subject: Example Section 131.6 letters
Attachments: California Section 131.6 letter June 2019.pdf; Lake Champlain Drainage Basin Reclass 131.6 letter.pdf; 2018 Oct 5 GA EPD Request for Additional Information.pdf

Tony, after going through this more, I realized this doesn't get us anywhere. These are basically requests for information using 131.6 as the requirements that have not been met. We sent a similar type of letter to GA that was sent to CA but didn't include the 90 day time limit which is how you phrased it below. I was thinking we had sent a disapproval to other states using 131.6 as the basis for the disapproval.

Here are two examples of EPA (R2 and R9) asking for more information under 40 CFR 131.6 relative to a state request for a standards review.

- California Letter – The standard change is for a revised salinity objective for agricultural beneficial uses
- New York/Lake Champlain Letter - The standard change is for amendments to water use classifications

The point being that EPA regularly asks for more info under 131.6 and we asked that of GA.

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From: Gordon, Lisa Perras <Gordon.Lisa-Perras@epa.gov>
Sent: Friday, September 11, 2020 3:40 PM
To: Able, Tony <Able.Tony@epa.gov>
Cc: Cooper, Jamal <cooper.jamal@epa.gov>; Wetherington, Michele <Wetherington.Michele@epa.gov>; Bouma, Stacey <Bouma.Stacey@epa.gov>
Subject: Example Section 131.6 letters

Tony, as discussed in the RA briefing on the GA Narrative, here are two examples of Section 131.6 letters, one from R9 and one from R2. Section 131.6 letters, such as the one we sent GA EPD in October 2018, are commonly used where we do not have the information needed to satisfy 40 CFR Section 131.6. We have other examples in R4 in our file room, these are ones I had electronically.

As you'll note in the California letter, the emphasis is on EPA taking timely actions, which we cannot do if we don't have the information.

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